

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CHARLES MITCHELL,	:	Case No. 1:12-cv-543
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
	:	
AMERICAN CAMPUS COMMUNITIES	:	
SERVICES, INC., <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 9); AND (2) TERMINATING THIS CASE FROM THE DOCKET OF THE
COURT**

This civil action is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on September 14, 2012, submitted a Report and Recommendations. (Doc. 9). Plaintiff did not file Objections.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations (Doc. 9) should be and is hereby adopted in its entirety.

Accordingly:

1. Plaintiff's complaint (Doc. 1) is **DISMISSED WITH PREJUDICE** pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute;
2. Defendant Cindi Smith's motion to dismiss (Doc. 4) is **GRANTED**; and
3. This case is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: 10/2/12

Timothy S. Black
Timothy S. Black
United States District Judge